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MESSAGE of his Excellency GOVERNOR MANLY to the Legislature of North Carolina.

To the General Assembly, &c.

The constitutional assemblage of the Representatives of Freemen, to enact laws, to provide for their equal and just administration, and to promote the general welfare of a people is an act of high sovereignty, presents an occasion of the deepest interest to all classes of the People, and suggests to every Department of the Government the solemn duty of returning our sincere thanks to the Great Governor of the Universe for continuing to us, as a State, those bountiful gifts of His Providence, health and peace and plenty.

Since the last meeting of the General Assembly, our country has passed through a fiery ordeal of conflicting passions and sectional interests, resulting from the acquisition of vast regions of distant Territory, causing just alarm to the friends of the Union and of free government throughout the Earth. During this perilous conflict in our National Councils, and amidst the agitation of the people of some of the States around us, North Carolina has remained a silent, but not an unmoved nor listless spectator.

Ardently devoted to the perpetuity of our Union, to the Constitution "as it is," and at the same time knowing and daring to maintain and defend her rights, granted or guaranteed by the National Compact, no State rejoiced with more unalloyed satisfaction at the amicable settlement of this distracting controversy. The late adjustment, by Congress, of these difficulties, was a proud triumph of patriotism and compromise over fanaticism and the spirit of disunion; and exhibited to the world the possession, by our people, of that noble public virtue and devotion to country, the true test of the inestimable value they place upon the Union, and the sure harbinger of the stability of our Government.

This adjustment, and the acts by which it has been consummated, are now, however, met with violent denunciation and opposition, among some of our brethren North and South.

While at the North disorganizers and fanatics are confederating together to nullify and obstruct the execution of the laws of the land, certain Southern politicians are zealously engaged in concocting plans and associations, which, however designated, may lead to a dismemberment of the Union. Extreme factionists and agitators, exerting for their own selfish end, sinister influences upon the public mind, have always existed in our Government, and will so continue, while a popular form of government exists among us.—Their machinations have hitherto yielded to the force of reason and enlightened patriotism.

The spirit of disunion, heretofore confined to some particular section of the country, is now, however, acquiring an expansion and and strength that demand the combined counteraction of the sons of freedom and friends of the Union throughout the land. In this parlidical strife, let us take neither lot nor part. Let us hold fast to the union of the States.

The last to come into the holy alliance of the *old thirteen*, let us be the last to leave it. The footprints of Washington and his matchless compeers, may be followed without doubtfulness or wavering. It is union which gives us all we are or hope to be. It is the key-arch of our liberty and national greatness; and I claim the privilege of my official station, solemnly to invoke the people of North Carolina, and their Representatives, to beware how they hold communication with cabal or Convention to sap and overthrow it.

But let us not be misunderstood. Let it not be supposed that our deep and abiding devotion to the Union, is such as to render us insensible to the just appreciation of our rights, or callous to the stain of dishonor. As a southern portion of the Union, we have rights which are *ours* by the Constitution; *ours* by compromise, and by the supreme laws which govern us. *These will never be surrendered. We take our stand in the ranks of southern destiny.* We have been assured by patriotic statesmen of the North, that, in the free States, the masses of the people are sound upon the question of negro-slavery, and are opposed to disturbing the institution as it exists: That the spirit of abolitionism is confined to a body of fanatics contemptible for numbers or respectability. As they value the union of these States, let them see to it. Let these patriotic masses now rise up in their strength and put down the treason and rebellion which are expanding and rioting in their midst. We offer no menace: but let the staid and sober sense of our people and the calmness which they have ever maintained amidst abortive efforts at agitation, be, to patriots every where, a solemn warning, trumpet-tongued, when North Carolina does summon to the rescue, that the Union is in danger! What a spectacle! A sacred alliance, nay, more than that, a Constitutional National Union of a noble people in peril of being disserved and broken up by gangs of runaway negroes, and their crazy allies!! How humiliating the contemplation!!!

I forbear to enter into any particular discussion of the various measures adopted as the basis of this adjustment by Congress, at its late session, to vindicate them from objections taken in different sections of the country to one or more of them.—This were by no means a difficult task; but would seem scarcely appropriate to the purpose and character of an Executive State Message; and would swell this communication to an inconvenient size. I refer to the subject at all, only, because a high sense of duty seems, in existing state of affairs, to require it at my hands; and having thus briefly done it, I submit the subject to your calm, dispassionate and patriotic consideration, with the expression of my deliberate opinion, that our highest interests and true duty, require of us a willing and hearty support of the *adjustment as it is, in all its parts*; yielding, for the sake of the Union and the Constitution, such objections as we may have to particular measures, while we insist upon the faithful execution of such as may be most acceptable and necessary to us, from those parts of the Union which may conceive them to be objectionable. Thus will North Carolina set a noble example worthy of her spirit of patriotic moderation; an example of that true principle of mutual deference of the various parts of the Union, towards the interests wishes and views of others, in which our National Government originated, and by which it must be maintained, if maintained at all. Let us then support, for the sake of the Union, the Union, and the whole adjustment; and while we demand this of others, show that we understand, and mean to fulfill, that the ourselves.

Since your last adjournment, too, our country has passed through another eventful scene, witnessed no where else, and justly awakening the astonishment of the nations of the Old world.

OUR PRESIDENT HAS DIED!

Without tumult or public commotion, a successor takes his place; clothes himself with the panoply of Executive authority; assumes the control of the Army and the Navy, and the still mightier engine of political power, Executive patronage, while no voice, among twenty millions of freemen breathes even the whisper of dissent! Although his successor had been designated amidst fierce and ardent opposition, yet a majority at the ballot box had so decreed it; and the supremacy of that arbitrament is acknowledged and arquiesced in by all sections and by all parties.

Many subjects of paramount importance to the State, will claim your attention during the present session.

The duties of the Executive of North Carolina have, by cumulative acts of the General Assembly, become so multifarious and heterogeneous, that any reference to them, must, of necessity, be succinct and desultory. In giving, through you, to the people of the State, an account of the manner in which they have been discharged, I shall, at the same time, take a rapid review of the general condition of our State affairs; and shall, with utmost candor and becoming respect, make such suggestions as in my judgment shall be worthy of the calm consideration of the Legislative Department of our Government.

AMENDMENT OF THE CONSTITUTION.

It is not to be denied that a large, respectable and intelligent portion of the State are strongly inclined to alter the Constitution.

When this topic was started a short while ago, the desire of a change in the Government went no further than a single alteration of the Constitution, to wit to enlarge the personal right of suffrage, so as to allow all white freemen of the State to vote for Senators, with or without freeholds.

I need not inform you how much and how rapidly this demand for reform has enlarged. It already embraces a change in the basis of representation in the General Assembly; and an entire revolution of our Judiciary system, and of the principles upon which it has stood from the beginning of free government in North Carolina.

Whether a majority of the people are discontented with the Constitution *as it is*, and therefore really desire to alter it in any or all of these important respects, I cannot undertake to say; though that is the question which, in my judgment, ought to be settled and ascertained antecedent to any *Legislative enactments* for altering the organic law of the State. A certain mode of determining the point would be to pass a law at once for taking sense of the voters upon the question of *change or no change*. You will then know what public opinion is; but until something of that kind shall have been done, any action that is intended to be based upon the popular will must rest upon conjecture. This act may be passed by a majority of the Assembly. If the result of the popular vote should show either indifference or hostility to the change, none ought to be attempted by the General Assembly. If, on the other hand, it should exhibit a very decided popular feeling in favor of the alterations, or any of them, the moral effect of this popular vote might suffice to procure from our Legislature the requisite constitutional sanction to any desirable reform. You are better able than I am to foresee whether the large majorities of three-fifths of this Assembly, and two-thirds of another are like to concur in any propositions of the kind without a previous vote of the people. No one, I presume, is anxious to force upon the people an alteration of their Constitution, without some convincing proof of their desire for it. Every intelligent mind must perceive that it is the interest of the State and a duty of patriotism to have the question settled and put to rest one way or the other. Until it shall be done, there will be political agitation and sectional discord. These will bring forth a multiplication of new propositions for altering the Constitution, and the people of North Carolina may be thrown into that perilous situation wherein the "desire of change pretendeth the reformation," instead of that safe condition, wherein "reformation only draweth on a change."

It may be, however, that a constitutional majority of three fifths of the Assembly, coming as you do directly from among your constituents, know already the will of a majority of the people upon this subject. If public opinion be decidedly favorable to immediate action, and you feel convinced, without any previous vote of the people, that this demand for altering the constitution is the demand of a majority of the people, then, of course, the necessity for an act to take the sense of the people will be superseded; and it is believed you might to act directly and at once upon the question, *according to the Constitution.*

The Constitution has clothed you with power to respond to a known demand of the people for constitutional reform, either by calling a Convention of the people at once, or by enacting specific amendments, and submitting them, first, to the review and decision of your immediate successors in 1852, and after that, to the voters of the State, at the polls in 1853.

There are several interesting questions which will present themselves to your consideration, upon this view of the subject. I shall refer to them briefly, not with any design to forestall the judgement of others, nor for the mere purpose of putting forward in advance of your action my interpretation of the Constitution; but because your action will probably form a precedent in the future course of the State; and the consequences of a mistake might be very injurious to the Republic.—Therefore, I would desire to have nothing done without careful investigations and calm deliberation. This is all I aim at.

The Constitution of 1835, we know, was framed and adopted upon principles of compromise. It was intended to adjust, upon equitable grounds, a sectional dispute and conflicting political opinions, which had distracted our State Councils for many years; and good faith requires an honest adherence to its true meaning, until it shall have been repealed or altered by the soverign authority of the State, according *to the compromise* in our amended Constitution.

Now, if it should be the pleasure of this Assembly, three fifths of all the members concurring, to call a convention of the people, a slight examination of the 1st section of the 4th Article of the Amendments will be sufficient to raise this question: Can the General Assembly impose any limits or restrictions upon a Convention called by them, under this Article? Is the power to call a Convention by the General Assembly, confined to the single office of calling it, or, can the same Legislature limit and confine the powers of the Convention in the Act for calling it? As there are conflicting opinion upon this question out of the assembly, it is probable they will exist in it. I do not think that this article necessarily excludes the right of calling a limited convention by the concurrence of two thirds of the General Assembly, provided the act for calling the Convention contains a limitation upon its powers with proper sanctions and *the same shall be ratified by the People*, by a vote to be taken before their delegates shall be chosen, and for the sanction of a law enacted for the purpose. In such case, it seems to me, that the limit prescribed by the act would be imposed, not by the General Assembly, but by the constitutional soverign authority of the State.—Otherwise it cannot be doubted that a Convention called by the General Assembly (two thirds concurring) would be clothed with *unlimited discretion* over the Constitution. The General Assembly has power to call a Convention into being, but *no power of themselves to prescribe a limit to its authority.* I hazard little in saying that the people of North Carolina have not hitherto exhibited a strong desire for such an experiment as this upon their Government; and, therefore, it behooves their Representatives to look well to the mode they adopt for introducing reforms into the Constitution.

If it should be the pleasure of this Assembly to avoid the instrumentality of a Convention altogether, you can, of yourselves, initiate an alteration of the Constitution, in virtue of the second section of the 4th article of amendments to the Constitution of 1835. To effect a reform by this mode of proceeding, it will be requisite that the alteration proposed shall be sanctioned by a majority of three-fifths of all the members of all the members of your body:—that the same shall be sanctioned by two thirds of the members of the Assembly of 1852: and afterwards confirmed by a majority of the people voting at the Polls. Confessedly our Constitution has thus been hedged in against hasty or frequent changes, and there will be no little difficulty in procuring an alteration of it. Ought not this consideration to operate powerfully upon the minds of those who *sincerely desire* "free suffrage," to prevent, if they can, its association with other propositions for amendments? Would it be either wise or proper to unite into one bill several and distinct propositions? If more than one, how many separate questions of the kind will you combine? The precedent to be set now, will probably determine the future practice, and may it not be asked, whether it will be fair dealing to combine two or more propositions into one act, and so compel the people to vote against what they desire, or else to vote for what they do not approve? It is, therefore, commended to your serious consideration, whether each alteration of the Constitution, when proposed, ought not to be presented by itself—uncoupled with an associate to do it harm, or an ally to help it through. It has been intimated by enlightened men of our State, that according to the true spirit and meaning of the Constitution, the power of the General Assembly to adopt a specific amendment, is confined to the case of a *single amendment*, and that it would be a violation of the 2nd section of the 4th article, for the Assembly to pass an act embracing in it more than one alteration of the Constitution. If this be so, the duty of acting upon each proposed alteration separately, and of enabling your successors, and, afterwards, the people, to do the same, is imperative.

The opinions which I have thus hinted at, upon this important subject, might be enforced and illustrated by many considerations which I have not introduced into this communication. I content myself with what has been said, believing as I do, that the Executive of North Carolina is properly excluded by the Constitution from the duty of taking part in altering the Organic Law. What has been said is barely intended to awaken your vigilance and to arrest public attention to the *manner*, rather than to discuss the *matter* of Constitutional reform. In my opinion, the manner of dealing with this subject is vastly important, and will prove to be much more than a question of mere reform.

In connection with this subject, let me be indulged in a suggestion relative to the constitutional period for the installation of the Governor.

The Governor of this State is elected by the People biennially in August; but he does not go into Office before the 1st January succeeding. If the General Assembly met on the 1st of January, there would be nothing objectionable in this. But that body, chosen by the People *at the same time they elect the Gov'nor, meet in November*, and have nearly completed their session before the Governor comes into office. Moreover, the Governor goes out of office on the 1st day of January, but his successor is elected in August preceding, and therefore the Executive of North Carolina is never called upon to express his opinions or to communicate the policy of his administration, until he has been either *re-elected or superseded* by the choice of a competitor. This is not right and it ought to be rectified. Whenever a Governor shall be willing to conceal his policy and avoid the just responsibility of his station, he may be thus enabled to do so. This is unjust to the people. When he shall be ready and willing to develop his plans of administration, there is but little opportunity afforded for it under the existing state of things; and if he shall be a candidate for re-election, his enemies and traducers can pervert and misrepresent him to his constituents, without his being allowed a legitimate occasion to expose falsehood by a reference to his declared and published opinions. That is not just to the chief Executive of the State. Besides, there is a plain absurdity in this: that where the people change both their Executive and their Representatives at the same election in August, the one does not go into office until the others have nearly closed their session; and the two never *consult together* for the interest of the state. Contrary to the theory of our Government, the Governor, whose first election might have been intended to ensure the commendation of an important measure of State policy, has no fair opportunity to enforce it upon the Legislature, and his term of office may *expire without his slightest participation in the matter.* This might be remedied by an act altering the time prescribed by law for the meeting of the General Assembly. It is respectfully submitted to your consideration, as a topic worthy of your notice. It is a political evil that ought to be corrected in some way.

REORGANIZATION OF PUBLIC OFFICES.

A thorough reform and re-organization of the several State departments is a subject that can be no longer postponed without detriment to the public service.

The office of the Secretary of State is a mere land office. Almost the sole duty of its head is to issue grants and to certify copies, except the occasional employments of making contracts for printing and distributing the laws, and for the purchase of stationery and fire wood. In other States, he is made, what is greatly needed here, the head of a Bureau of Statistics, and is required to collect from all parts of the State information upon various subjects essential to wise and wholesome legislation.

The Public Treasurer, instead being the keeper of the public money to receive and to pay it out on vouchers first audited and allowed, is left to assume the responsibility of determining the validity of all claims on the Treasury which may be presented; while the office of Comptroller of public accounts, instead of being what its name imports, the office where claims upon the State are audited and allowed, and so certified to the Treasurer, is simply a depositary for the Treasurer's vouchers and for a copy of his books.

It must be obvious to every one that a remodelling and reform is necessary in these departments. And I can make the suggestion with the greater freedom and without just impeachment of motive, as my official intercourse with the incumbents, has been in all instances of the most kind and unreserved character, and is now soon to terminate.

FINANCE AND STATE DEBTS

Invested as you are with the preservation of the faith and the honor of the State, it will be your first great duty to examine carefully her financial condition. To learn her liabilities and her means, and to make promptly and ready such provisions, as, while it may develop and increase her resources and afford aid and succor to the various industrial pursuits of her citizens, will at the same time establish her on sure foundation to meet without let or hindrance the payment of her debts and the maintenance of her credit.

The reports of the Public Treasurer and Comptroller will, in due time, be laid before you, giving in detail the receipts and disbursement at the Treasury for the two preceding fiscal years. By these it will be seen that the receipts, under the amended revenue laws for the year just closed, exclusive of the trust funds belonging to the Board of Literature and Lunatic Asylum; and the sums raised by loans, amount to about $135,000, showing an increase, over the average annual amount received under the old system, of about 52,000. The ordinary expenses of the State, may with sufficient precision for the present purpose, be stated to average $75,000 per annum; and thus the present revenue basis may be estimated to produce an annual excess of receipts over the ordinary necessary disbursements, to be applied annually to the extinguishment of the State's debts, and liabilities, of $60,000.

The present indebtedness and liabilities of the State may be stated to be

1. By a guaranty of bonds of the Raleigh and Gaston Railroad; the interest of which is payable semi-annually, and the principal after 1st January, 1850,	$500,000
2. Do Do. interest payable semi-annually, and principal, by instalments of $30,000, on 1st January, 1851, 1852, 1853, and the residue 1st January, 1854,	106,500
3. Balance due the Literary Fund for that amount, used by the Public Treasurer from time to time; interest payable annually, principal at the pleasure of the Government,	118,192
4. Bonds of the Public Treasurer, given to the President and Directors of the Literary Fund, for like amount transferred to Public Treasury; interest payable anually, principal at the pleasure of the Government,	40,260
5. State Bonds, issued by Public Treasurer to pay the Banks, &c., by resolve of the last Assembly; interest payable semi-annually, principal after 10 years,	200,000
6. By endorsement of Wilmington and Raleigh Railroad Bonds, by act of 1848—interest payable semi-annually, pr'pl. by instalments of $50,000 on 1st January, 1859, 1860, 1861, 1862, 1863,	250,00
7. Stock in Fayetteville and Western Plank Road; interest payable semi-annually, principal after 20 years,	120,000
8. Stock in Deep River and Cape Fear Navigation Company; interest semi-annually, principal to be provided for,	80,000
9. For amount appropriated by act of 1848 for improving Neuse and Tar Rivers; interest payable semi-annually, principal to be provided for,	65,000
10. For Stock in the "North Carolina Railroad" by act of 1848; one fourth of which is to be paid when the work shall be commenced, and the remaining three fourths in equal instalments, at intervals of six months thereafter; interest payable semiannually, principal after 30 years,	2,000,000
11. For money borrowed from the Bank of Cape Fear,	40,000

Thus it appears that the liabilities of the State, already existing or *authorized*, amount, in principal money, to $3,520,052. And there will be required to pay the interest on this sum, with one instalment of principal before stated for the year 1851, the sum of $149,000. And in like manner for the year 1852, $207,000. In this calculation of interest, the State's liability on the Wilmington and Raleigh Railroad bonds is not included; for as that company have heretofore paid promptly the interest on their bonds, their improved condition is a safe guaranty that they will continue to do so. This calculation is predicated upon the assumption, that the State will be called upon for the first instalment of her stock-subscription to the "North Carolina Railroad" in the beginning of the ensuing year, and for the other instalments at intervals of six months, as allowed by the charter. And upon the further assumption, also, that the residue of the State's subscription for stock in the Fayetteville and Western Plank Road Company, in the Cape Fear and Deep River Navigation Company, and the appropriations for Neuse and Tar Rivers will be called for at an early day.

But we have seen that the surplus in the Treasury after the payment of the regular demands, will be $20,000; while the increased demand upon it for the year 1851, will be $149,000; and for the year 1852 $207,000; and of course, that the State will require for the year 1851, over and above the whole amount that may be raised by the present revenue basis, the sum of $89,000; and for 1852, the sum of $148,000.

Or it may be stated thus:

Amount required to pay State's liabilities and interest for 1851,	$149,000
Add ordinary expenses for 1851,	55,000
	$224,000
Deduct probable receipts at the Treasury according to present revenue laws for 1851,	$135,000
Deficit to be provided for 1851,	89,000
In like manner it may be shown that the deficit for 1852, will be	$147,000

Those results will be changed, to some extent, in favor of the Treasury balances, by the coming in of the deferred taxes imposed on sundry articles in the 7th section of the revenue act of the last session.

But no provision has yet been made for raising the money for the payment of the residue of the State's stock subscription to the Deep River and Cape Fear Navigation Company, of $80,000, and this amount must be added to the wants of the Treasury.

To meet these demands, which can now be neither avoided or postponed without public dishonor, provision must be made by the General Assembly now in session. In addition to this requisition for interest, prompt steps should be taken for the establishing of a sinking fund for the gradual extinguishment of the principal of the State's debt, to avoid the insupportable pressure upon the people, if it be postponed till the principal shall fall due. The most urgent inquiry, however, at present, is, how are the semi-annual instalments of interest to be met? By creating new loans and borrowing money—thus increasing the debt by compounding principal and interest every six months? If the demand upon the Treasury were fortuitous and not likely to be repeated, such a plan might by some, be allowable. But here is a sum which must be raised for many years to come, and until some returns shall be yielded from the profits of our public works. It is too plain for comment, that the temporizing policy of borrowing money to pay interest will be disastrous to the State, will impair her credit, and may reduce her, sooner or later, to the ignominious and dishonest condition of repudiation.

An absorbing crisis has arrived in the financial affairs of the State, which requires the energetic exercise of all the caution, wisdom and patriotism of the Representatives of the people.

I have felt it to be my indispensable duty to lay this important subject thus plainly before you.—On you, and you, alone, rest the task and responsibility of providing the ways and means for paying the debts, sustaining the faith and credit of the State, and for preserving untarnished her character for plain dealing and honesty.

COMMON SCHOOLS.

In this age of intellectual advancement, in the middle of the 19th century, and to this enlightened body, it would be a waste of words to press upon your attention, or to offer arguments to prove the value of a wise and liberal system of popular education. It is the sheet-anchor and basis of Republican Liberty. Deeply impressed with this truth, the Framers of our Government engrafted it in our Constitution as a solemn injunction upon the People's Representatives that "Schools should be established for the convenient instruction of youth, with such salaries to the Masters as might enable them to instruct at low prices."

This provision in our fundamental law, from various causes, but chiefly from the want of means, remained for nearly half a century dormant and unheeded.

In the year 1825, a law was passed upon the subject for the first time; a fund was created, a Board established to invest and manage it, and after a successful accumulation of proceeds, an act was passed in the year 1840, establishing a system of Common Schools and directing an annual distribution to be made among the people of the net annual income of this Fund.

I call your attention to the fact that, by the law of 1825, this fund was set apart for the education of the youth of the State, and a Legislative pledge was therein given to the public, that the annual income "*should be divided out among the counties in proportion to the free white population of each.*"

In the year 1840, when the system was put in operation, this division was ordered to be made among the Counties, *not in proportion to their white but federal population.* By this process, those counties in the State, containing a sparse white population and but few white children to educate, yet containing many slaves and free negroes, receive the larger portion of the public bounty: while those counties having a large white population and many children to educate, yet having few slaves and free negroes, receive the smaller share.

This arrangement I hold to be wrong.

This common Fund having been provided and designed for the education, not of the rich, nor of the poor, exclusively, but for all the white children of the State alike, ought, in my judgment, to be divided equally amongst them whether their residence happens to be, or not to be, in a community holding slaves and free negroes.

It should be borne in mind that the capital from from which this annual income proceeds was not raised by taxes on Federal population, but from other sources of public revenue. The argument, therefore, that this distribution should be made among the people according to federal numbers, because it was derived from them on that basis of taxation, is without foundation.

As to the argument that a portion of the capital was received from the General Government in her distribution among the States of the surplus revenue, and that should North Carolina be called upon to refund the money, it would be raised by taxing Federal population, it is a sufficient answer, that at this late day, no man seriously entertains the opinion that the State will ever be called on to refund that money. And, moreover, it must be borne in mind that that portion of this revenue which constitutes a part of our Literary Fund, was invested in the stocks of the Bank of the State and of Cape Fear, and if a return of it shall become indispensable, that it can be readily effected by a transfer or sale of the stock, and not by the imposition of taxes of any sort.

But I shall not detain you with an argument of this question.

The rule adopted by the distribution Act of 1840, carries on its face a violation of the spirit and object of the injunction of the Constitution: is a breach of the public faith given by the Legislature of 1825,; is at variance with the rule in other Southern States; divides the fund not according to the *public necessity*, but the *wealth* of the people and is in itself unequal and unjust.

I recommend therefore a change, by law, of the basis of distribution of the Common School Fund: That henceforth the same shall be divided among the Counties in proportion to their number of white children, and not in proportion to the federal computation of white people and slaves and free negroes combined.

But this system is deficient, not only in its organization, but in accountability, uniformity and its general management.

For a period of ten years, about $90,000 have been placed annually in the hands of the various school committees of the State; a sum larger than the whole amount of the State's Revenue paid into the Public Treasury during that period. This large sum, forming an aggregate of nearly a million of dollars, has within this brief period been spent, and yet no adequate provision has been made, much less enforced, for even informing the people or their representatives what has become of it, or how it has been spent.

The President and Directors of the Literary Fund, in obedience to an act of the last session of the General Assembly, compiled and published, and caused to be circulated throughout the State six thousand copies of a pamphlet containing an abstract of the School laws, together with an appendix of precedents and appropriate forms of returns.

In this, it will be seen that the Chairman of the Board of Superintendents in each county is required, within fifteen days of the first day of November in each year, to report in writing to the President and Directors of the Literary Fund a copy of his school account; audited and settled by the committee of Finance or the Clerk of the county Court of his county, together with the number of children in his county, the number taught in the schools the preceding year, and the length of time the schools have been kept up. Yet this duty has been performed by only *seven superintendents throughout the whole State*; and I am altogether unable to give you the information required on these points, or to make satisfactory exhibit of the disposition which has been made of these large sums of money. It should be made an indispensable pre-requisite to the payment to any county of its quota, in future, that the chairman of the board of superintendents should file with the Literary Board a copy of all his accounts, audited and passed upon, together with his report of statistics as required by law; and the Public Treasurer should be prohibited from paying out the money without a certificate from the Board that this rule had been complied with. At present there is no specific mode pointed out, nor is it made the duty of any particular person to compel the receivers of this fund in the several counties to settle their accounts. Those who choose to do so, submit them to the committees of Finance or County Court Clerks; while those who fail to do so, escape forfeiture or censure. It may be safely stated that thousands of Dollars remain from year to year in the hands of superintendents; and if a rigid settlement were enforced, the public would be astonished at the aggregate sum thus withheld from its legitimate destination.

The whole fund, annually distributed, although large, is yet inadequate to the public exigency.—According to the provision of the existing law, the several County Courts may, in their discretion, levy a tax, as other taxes are levied for county purposes, not less than one half the amount annually received from the Literary Fund. Were this provision compulsory, or carried out in good faith in all the counties, the fund would be to augmented as to increase the number of schools and also the length of time they might be kept up.—But it is believed that there is no uniform rule upon this subject. Some of the counties, with commendable spirit, levy a fair tax, others levy a very small one, while very many of the counties levy no tax at all.

Hence it results that in those counties dependent solely on the Literary Fund, the sum they receive, when subdivided among a large number of school districts, is so small for each, that many of the districts have no schools at all and derive no benefit from the provision.

It is believed, that in many parts of the State public attention has not been sufficiently awakened to the great importance and blessings of the limited and partial instruction even, to the rising generation, which may be obtained in these schools.

Our People do not take hold of the subject with that energy and spirit essential to its success. A general listlessness prevails. Those that can afford it, send their children elsewhere to school, while the poorer classes keep theirs at home to work. Throughout the State you see everywhere in the highways school houses deserted, the doors broken from their hinges, and the grass growing on the yard. Why is this? Besides those already alluded to, one prominent cause doubtless is the difficulty of procuring proper Teachers, qualified by education and good morals, to direct the young. Our men prefer, for the most part, more active employment. Let female Teachers then be patronized and employed. They would be satisfied with smaller compensation, while their soft and gentle manners, purer morals, greater tact in instructing young children and taming the wild and stubborn, fit them in a peculiar degree for this office.

In some of the counties I am happy to be able to say that their schools are well managed and are accomplishing, with marked effect, the beneficent results aimed at by the laws, and it is to be hoped that such is the case in others. But there is no official information upon the subject, and what I design to say is, that the very want of this information demonstrates the absolute necessity of some radical amendment. This necessity suggests the expediency of creating a new officer in the Government, to take the general charge of this whole business, in accordance with the practice in other States, and with the earnest and repeated recommendation of my predecessors.

This officer might be designated the Minister of Public Instruction, or the General Superintendent of Common Schools. It should be his duty to examine all the public schools in the State, ascertain the length of time each district school is kept up, the number and qualifications of Teachers, the mode of instruction; to direct the arrangement of school houses, and procuring proper school books, the settlement and arrangement of the financial department; and he should be required to make a report to the Legislature upon all these matters, with such observations as experience might suggest, upon the general condition and efficiency of our system, and the most practicable means of improving it. The duties of such an officer would be laborious, and the salary should be such as would command the most eminent qualifications, and engage undivided attention.

His compensation might be charged upon the Literary Fund, and not drawn from the general treasury, and it would be returned to that fund in ten-fold value, by improving healthfulness and vigor, and efficiency to the system.

The last General Assembly seems to have been fully aware of the necessity of some general supervision; but while they declined to authorize the appointment of one general supervisor at a reasonable salary, they authorized each County Court to appoint one for each County, at a salary of $250 each, with power given to the Courts to lay a tax to pay it.

In my judgment it is much better to have one general superintendent, competent and responsible, at an expense of $2,000, paid out of the Literary Fund, than to have *seventy-nine* superintendents dispersed through the State, without concert of action of design and action, at an aggregate expense of 19,700 per annum, drawn, too, from the pockets of the people by taxation.

Our common school system, then regarded either in the light of the patriotic and noble purposes intended to be accomplished by it, or considered with reference to the proper direction and fair disbursement of so large a sum of public money, requires thorough revision and amendment.

Having been a member of the Literary Board from its first organization, and having bestowed some attention upon this subject, I feel, in conclusion, fully warranted in recommending, as the most effectual means of attaining the ends referred to, the appointment of a general superintendent of common schools for the State.

The President and Directors of the Literary Fund will, in due time, submit a report, showing in detail the state and condition of this Fund, and the proceedings of the Board on other subjects committed to their management.

INTERNAL IMPROVEMENT.

The Internal Improvement of the condition of the State, has been so repeatedly and earnestly pressed upon the Legislature within the past twelve years, by my predecessors in office, that nothing new can be superadded. The people are now demanding some relief for the exigency of their wants, good market towns within our own borders, and the means of cheap transportation to reach them.

The day has passed by for writing essays on the importance of Railroads, and Plank Roads, and navigable Rivers. The practical results in other States around us, offer their accumulated testimony of the increased wealth and enterprize which they confer upon the people, and will expose to just ridicule and contempt a State that will continue to shut her eyes upon the light of experience, and fold her arms in apathy and sloth, when her very existence demands patriotic, energetic and enlightened action.